



#28/E
NP
2/19/03

3/N 09/060,047

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Richard L. Dunn	Examiner:	Edward J. Webman
Serial No.:	09/060,047	Group Art Unit:	1617
Filed:	April 14, 1998	Docket:	1195.157US1
Title:	EMULSIONS FOR IN-SITU DELIVERY SYSTEM		

AMENDMENT AND RESPONSE UNDER 37 CFR ' 1.111

Commissioner for Patents
Washington, D.C. 20231

Applicant has reviewed the Office Action mailed on October 30, 2002. Please amend the above-identified patent application as follows.

IN THE CLAIMS

Please substitute the claim set in the appendix entitled Clean Version of Pending Claims for the previously pending claim set. The specific amendments to individual claims are detailed in the following marked up set of claims.

El

1. A composition for delivering a biologically active agent, comprising: an emulsion of a biologically active mixture and a controlled release formulation, the biologically active mixture comprising the biologically active agent and a pharmaceutically acceptable, aqueous medium as a protective carrier; and the controlled release formulation comprising a pharmaceutically acceptable, biodegradable thermoplastic polymer that is substantially insoluble in an aqueous or body fluid and a pharmaceutically acceptable organic solvent having a water solubility of from about 2 percent to about 20 percent by weight relative to a weight of a combination of organic solvent and water, and wherein the concentration of polymer in organic solvent ranges from about 0.1 gm per ml to about 3 gm per ml and the composition is used to form an *in situ* solid implant.